MINUTES OF THE HOWARD COUNTY PLANNING BOARD – October 22, 2009

Members Present: Dave Grabowski, Vice-Chair; Tammy CitaraManis; Paul Yelder

Members Absent: Linda Dombrowski, Chairperson

DPZ Staff Present: Marsha McLaughlin; Tanya Maenhardt, Bob Lalush, Laura Boone

Mr. Grabowski opened the public meeting at approximately 7:05 p.m.

PUBLIC MEETING

ZRA 127 – Marsha S. McLaughlin

Presented By: Bob Lalush

Petition: AZR: To amend Section 122.B of the Zoning Regulations to add the

category "Hospital, intermediate care facilities and residential centers" as

a use permitted as a matter of right in the M-1 District, etc.

DPZ Recommendation: Approval

Ms. McLaughlin asked that the case be postponed due to requests for more detail and to provide answers to questions asked.

Mr. Grabowski asked for comments from the Board, there were none and request was granted.

PUBLIC MEETING

ZRA 114 – Tim Keane

Presented By: Bob Lalush

Petition: AZR: To amend Section 130.B.122 by adding and deleting some words.

DPZ Recommendation: Approval Petitioner's Representative: Sang Oh

Mr. Lalush gave a brief overview of the proposal to amend the Zoning Regulations to add provisions allowing unimproved properties to also be neighborhood preservation parcels provided they are owned and maintained by a homeowners association or dedicated to the Howard County Department of Recreation and Parks. Mr. Lalush gave a brief history of the previous ZRA to allow neighborhood preservation parcels, where density can be extracted from eligible parcels within residential neighborhoods and be transferred to other districts, so long as the preservation parcel had been improved by a dwelling.

Ms. CitaraManis asked about the language regarding maintenance of property by the Department of Recreation and Parks. Mr. Lalush stated that Recreation and Parks maintains property that they own. Mr. Grabowski stated that Recreation and Parks responded that they had no objections to the proposal.

The petitioner's representative, Mr. Sang Oh, was asked for his comments and stated that he had no questions or comments and agreed with the staff report.

Motion:

Ms. CitaraManis motioned to follow staff's recommendation of approval with minor revisions. Mr. Yelder seconded the motion.

Discussion:

Ms. CitaraManis stated the request was narrow enough to not greatly expend density exchange, while keeping the purpose of neighborhoods preservation.

Mr. Yelder felt that this was more of revising a flaw in the original regulations and had no problems. Mr. Grabowski agreed adding preserved land is always good.

Vote:

3 Yea

0 Nay. The motion was carried.

SDP-08-097 Walgreen's

Tanva Maenhardt Presented By:

For approval of Site Development Plan, SDP-08-097, for the construction Petition:

of a 14,820 square-foot Walgreens Pharmacy and associated

improvements in accordance with FDP-43-A-III. The project would be constructed on 2.62 acres of land (zoned "New Town") known as Parcel 362, Lot "A", Tax Map 30, Grid 22. The site is located on Thunder Hill Road between its intersection with Twin Knolls Road and its intersection with Maryland Route 175. It is located in the 6th Election District of

Howard County.

DPZ Recommendation: Approval Petitioner's Representative: Bill Erskine,

Continued from October 8, 2009

Mr. Cornelius, of the Traffic Group, finished his testimony by submitting copies of the Traffic Impact Study, which was submitted with the SDP and approved by staff and SHA, as well as a collision diagram accompanied by written data from SHA. Mr. Cornelius stated that he had never heard of a situation, study or report where a deceleration lane created a problem.

Mr. Paul Taylor, Chief Engineer, G.W. Stephens and Associates, stated that the plan has met all County regulations.

Ms. Barbara Russell spoke in opposition regarding traffic, lighting and environmental issues and competition with the Village Center

Mr. Ed Walter spoke opposing the proposed plan, claiming that additional signals are warranted and that a deceleration lane would be dangerous and unwarranted. He also favored keeping the existing trees.

Ms. Sandra Braxton-Riley spoke in opposition, about increased lighting and traffic due to the proposed pharmacy.

Ms. Froydis Beckerman spoke in opposition stating that the proposed business is not suitable, the site cannot accommodate a large store, and lighting does not meet FDP requirements.

Ms. Angie Beltram spoke in opposition due to the possible negative impact on the village center.

Mr. Tom Stanto spoke in opposition due to traffic concerns.

Mr. Phil Engelke spoke in support stating the current vacant building doesn't represent the community well and that redevelopment of existing sites is more responsible and sustainable than developing new sites.

Ms. Karen Gray spoke in support noting that the Village Board met with traffic engineers about their concerns, resulting in traffic safety modifications. The deceleration lane would improve traffic flow at the intersection of Thunder Hill and Twin Knolls roads.

Ms. Evelyn Mogren spoke in opposition, about increased lighting, traffic, and safety of the proposed deceleration lane.

Ms. Reyes Hourihan spoke in opposition about increased traffic.

Mr. Bob Smith spoke in support as one of the potential owners stating he doesn't believe the addition of the Walgreen's would cause additional traffic problems. Mr. Yelder asked why the entrance from Thunder Hill Road was needed. Mr. Smith stated that Walgreen's initially rejected the site due to poor visibility of the site without the extra entrance to attract potential customers.

Ms. Rose Marie Meservey spoke for Mark Klein who could not be in attendance in opposition due to traffic safety and aesthetic concerns.

Mr. Gordon McGlochlin spoke in opposition due to traffic concerns, the deceleration lane, the possibility of crime and competition to the Village Center. He also presented a petition of local business people who are opposed.

Ms. Abby Hendrix, Chair of the Oakland Mills Village Board, spoke in support stating that although Walgreen's would be ideal in the Village Center, they also support the proposed site which has been vacant for five years. The Village is in need of a pharmacy. She noted that many residents were concerned with having a 24 hour business and that Walgreen's has worked with them to change the hours of operation.

Mr. Marcia White stated the Oakland Mills Village Board believes they represent the majority of the Village's residents by supporting the proposal.

Mr. Yelder asked both Ms. White and Ms. Hendrix if the Village Board had reviewed the SDP and whether any concerns were raised about lighting. Ms. White responded that the Board had reviewed the SDP and it was her understanding that the lighting would be "down lighting "facing away from residential areas. Mr. Yelder also asked if there had been concerns about tree removal with Ms. White stating that no one wanted to see trees be removed, but it was necessary.

Ms. Kevin White spoke in support noting that the deceleration lane had already been approved and should not be a part of this hearing. He agreed that the Village could really use a pharmacy. He has some concerns, but believes the Walgreen's would be a "net gain".

Ms. Diane Beil spoke in opposition due to traffic concerns, specifically at rush hour. She also states that there would be added noise and air pollution and decreased wildlife habitat. Ms. Beil also noted that there are plenty of other pharmacy's within two miles of the proposed site.

Mr. Burt Musman spoke in opposition about traffic safety concerns and competition to existing businesses in the Village Center.

Ms. Nancy Stanton spoke in opposition stating there is a pharmacy across the road from the proposed Walgreen's.

Mr. Grabowski wrapped up testimony by advising the public that the Board's role is to decide whether the SDP meets the criteria in the FDP. Mr. Grabowski left the case open for written testimony for one week. Mr. Grabowski stated that the work session on the case would be held on November 19th.

Ms. CitaraManis and Mr. Grabowski asked the petitioner to provide the Board with a response addressing the concerns of the Oakland Mills residents, before the work session.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT 9:45 P.M.

Marsha McLaughlin Executive Secretary

Laura Boone Recording Secretary